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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,640	11/05/1999	RICHARD S. TOMALEWICZ	99EC026/7676	4194

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EXAMINER

JONES, PRENELL P

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/434,640

Applicant(s)

Tomalewicz

Examiner

Prenell Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jul 17, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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Response to Arguments

1. Applicant's arguments with respect to claims 1-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 15, 16, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinder et al in view of Lichter et al and Shaffer et al.

Regarding claim 1, 2, 15, 16, 29 and 30, Pinder discloses (Abstract, Figures 2, 4, 5, 6) a communication system that communicates emergency calls via radio communication which includes a subscriber unit operating within a first communication system wherein the subscriber sends a message to a second communication system, whereby the message includes information that identifies the source of the emergency call, (col. 3, line 24 thru col. 4, line 67) resource controller and emergency resource list for selecting recipients to handle emergency calls based on characteristics about the identified source. However, Pinder is silent on the environment of the call. In analogous art, Lichter discloses an enhanced emergency service wherein (Abstract, col. 1, line 21 thru col. 2, line 49, col. 3, line 57 thru col. 4, line 65)

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the caller longitude/latitude is identified by a location detection device, geographic area served by a switching system that is divided into emergency service zones (ESZ), ANI number associated with each customer for identification, call is forwarded to selective router servicing specified emergency, ANI number mapped to emergency service zone, (col. 5, line 5 thru col. 6, line 44) identifying geographic area information (environment) before routing call to selective router, Shaffer discloses (col. 2, line 41-67, col. 7, line 28 thru col. 8, line 67, col. 10, line 15-67, col. 15, line 21 thru col. 16, line 67, col. 17, line 30 thru col. 18, line 48) intelligent processing system that includes various Master databases that include telephone numbers and associated data records such as street addresses and the servicing of 911 call (public safety), (col. 33, line 2-67) Internet services, packet processing/routing. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement determining the environment of a call as taught by Lichter with the teachings of Pinder and Shaffer for the purpose of successful communication between 911 caller and 911 operator or resource which would result in successful handling of 911 call.

Regarding claims 8, 22 and 36, as indicated above, Shaffer discloses (col. 2, line 41-67, col. 7, line 28 thru col. 8, line 67, col. 10, line 15-67, col. 15, line 21 thru col. 16, line 67, col. 17, line 30 thru col. 18, line 48) intelligent processing system that includes various Master databases that include telephone numbers and associated data records such as street addresses and the servicing of 911 call (public safety), (col. 33, line 2-67) Internet services, packet processing.

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Regarding claims 14, 28, 39 and 42, Pinder discloses (Abstract, Figures 2, 4, 5, 6) a communication system that communicates emergency calls via radio communication which includes a subscriber unit operating within a first communication system wherein the subscriber sends a message to a second communication system, whereby the message includes information that identifies the source of the emergency call, (col. 3, line 24 thru col. 4, line 67) resource controller and emergency resource list for selecting recipients to handle emergency calls based on characteristics about the identified source. He further discloses (col. 4, line 13-56) if the preferred resources are unavailable that there exist secondary communication resources for handling the public safety calls.

4. Claims 3, 17 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinder et al in view of Lichter et al.

Regarding claims 3, 17 and 31, Pinder discloses (Abstract, Figures 2, 4, 5, 6) a communication system that communicates emergency calls via radio communication which includes a subscriber unit operating within a first communication system wherein the subscriber sends a message to a second communication system, whereby the message includes information that identifies the source of the emergency call, (col. 3, line 24 thru col. 4, line 67) resource controller and emergency resource list for selecting recipients to handle emergency calls based on characteristics about the identified source, and In analogous art, Lichter discloses an enhanced emergency service wherein (Abstract, col. 1, line 21 thru col. 2, line 49, col. 3, line 57 thru col. 4, line 65) the caller longitude/latitude is identified by a location detection device, geographic area served by a switching system that is divided into emergency service zones (ESZ), ANI number associated with each customer for identification, call is forwarded to selective router servicing specified

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emergency, ANI number mapped to emergency service zone, (col. 5, line 5 thru col. 6, line 44) identifying geographic area information (environment) before routing call to selective router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement ANI as taught by Lichter with the teachings of Pinder for the purpose of further managing the routing of incoming calls.

5. Claims 4, 5, 18, 19, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinder et al in view of Lichter et al and Shaffer et al.

Regarding claims 4, 5, 18, 19, 32, and 33, Pinder discloses (Abstract, Figures 2, 4, 5, 6) a communication system that communicates emergency calls via radio communication which includes a subscriber unit operating within a first communication system wherein the subscriber sends a message to a second communication system, whereby the message includes information that identifies the source of the emergency call, (col. 3, line 24 thru col. 4, line 67) resource controller and emergency resource list for selecting recipients to handle emergency calls based on characteristics about the identified source, Lichter discloses an enhanced emergency service wherein (Abstract, col. 1, line 21 thru col. 2, line 49, col. 3, line 57 thru col. 4, line 65) the caller longitude/latitude is identified by a location detection device, geographic area served by a switching system that is divided into emergency service zones (ESZ), ANI number associated with each customer for identification, call is forwarded to selective router servicing specified emergency, ANI number mapped to emergency service zone, (col. 5, line 5 thru col. 6, line 44) identifying geographic area information (environment) before routing call to selective router. Pinder and Lichter are silent on ANI information associated with a packet message which is transmitted to a master street address

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database. In analogous art, Shaffer discloses (col. 2, line 41-67, col. 7, line 28 thru col. 8, line 67, col. 10, line 15-67, col. 15, line 21 thru col. 16, line 67, col. 17, line 30 thru col. 18, line 48) intelligent processing system that includes various Master databases that include telephone numbers and associated data records such as street addresses and the servicing of 911 call (public safety), (col. 33, line 2-67) Internet services, packet processing. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement ANI information with a master street address data base as taught by Shaffer with the combined teachings of Pinder and Lichter for the purpose of further managing the handling/servicing of 911 emergency/safety calls.

Allowable Subject Matter

6. Claims 6, 7, 9-13, 20, 23-27 and 34-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Regarding claims 6, 20 and 34, the limitation "identifying resource further comprises a means for selecting a public service attended position of the identified resource" is absent from the art.

Regarding claims 7, 21 and 35, the limitation, "determining the environment further comprising correlating the received public safety call with other received public safety calls from the environs of the determined geographic source" is absent from the art.

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Regarding claims 9-11, 23-25 and 37-39, the limitation, "from an Internet connection further comprises means for detecting and decoding a geographical source of the packet message from a data field embedded with the packet" is absent from the art.

Regarding claims 12, 26, 36 and 40, the limitation, "step of forwarding the call further includes forwarding an Internet address of the caller to the identified resource.

Regarding claims 13, 27, 38 and 41, the limitation, "the step of forwarding an Internet address of the caller to the identified resource further includes a request to form an Internet telephony voice connection with the public safety caller" is absent from the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell Jones whose telephone number is (703) 305-0630. The examiner can normally be reached on Monday thru Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366. The fax phone number for the organization where this application or proceeding is assigned is (703) 873-9314

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Prenell Jones

October 5, 2003



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SUPERVISORY PATENT EXAMINER
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10/6/03